IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 8941 of 2005

Between:

1. Lokesh Kumar, F.No. 029140029,
   S/o. Rajmal Singh, aged 25 years, Masalchi, Base Hospital – II,
   C.R.P.F.,Hyderabad.

2. Pahalu Ram,F No. 811260248,
   S/o. Bhupal Ram, aged 45 years,
   S/K, Base Hospital – II, C.R.P.F.,
   Hyderabad.

3. K. Aji Kumar, F. No.951272675,
   S/o. P. Kuttan, aged 32 years, Cook, Base Hospital – II, C.R.P.F.,
   Hyderabad.

4. Jashwant F. No.049140042,
   S/o. Shri Bhuri Ram, aged 21 years, S/K, Base Hospital-II, C.R.P.F.,
   Hyderabad.

5. Rajvir Singh, F No.049140024, S/o. Chok Ram, aged 22 years, S/K Base
   Hospital-II, C.R.P.F., Hyderabad.

6. Sukhdev Singh, F. No.049140015,

   S/o. Lokha Singh, aged 25 years, S/K Base Hospital II, C.R.P.F.,

   Hyderabad.

7. Sarojkumar Dalal, F. No.923020416,

S/o. Baishnab Charan Dalal, aged 42 years, S/K Base Hospital-II,

C.R.P.F., Hyderabad.

8. S. Nizaruddin, F. No.919090253,

S/o. Mohd. Haneefa, aged 39 years,

Cook, Base Hospital-II, C.R.P.F., Hyderabad.

9. Kamla Devi, F. No.911174265,

W/o.Kishanlal Mandal, aged 40 years,

S/K Base Hospital-II, CRPF., Hyderabad.

..... PETITIONER(S)

AND

1. Union of India, rep., by its Secretary,

Ministry of Health & Family Welfare, Nirman Bhavan, New Delhi.

2. The Secretary, Government of India, Ministry of Home Affairs,

North Block, New Delhi.

3. The Director General, Central Reserve Police Force,

C.G.O. Complex, Lodhi Road, New Delhi.

4. The Director (Medical),

Central Reserve Police Force, R.K. Puram, New Delhi.

5. The Inspector General of Police,

Central Reserve Police Force,

Road No.12, Banjara Hills,

Hyderabad-500005.

6. The Deputy Inspector General of Police, (Operations),

Central Reserve Police Force,

Group Centre, Chandrayanagutta,

Hyderabad-500005.

7. The Chief Medical Officer, 2nd Base Hospital,

Central Reserve Police Force,

Keshogiri, Chandrayanagutta,

Hyderabad-500005.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ or order or direction declaring the signal issued by the 4th respondent dated 19.1.2002 and the proceedings of the 2nd respondent in No.27012/4/2000-PF-IV, dated 8.9.2000 and of the 4th respondent in No. AIX.1/2000 Med. III, dated 22.9.2000 and the action of the respondents in not paying the patient care allowance to the petitioners even while paying the same to their colleagues similarly placed in the same class as highly discriminatory, illegal, arbitrary and violative of Art. 14 and 16 of the Constitution of India as violative of the principles of natural justice and to set aside the aforesaid orders and consequently direct the respondents to pay the petitioners the Hospital Patient Care allowance at the rates as revised from time to time and as respectively applicable to Group 'C' and 'D' employees with effect from 1.10.1987 of the date of appointment fo the petitioners which even is late or from the date as deemed just and proper by this Hon'ble Court and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.

Counsel for the Petitioner:MR.J.V.PRASAD, ADVOCATE

Counsel for the Respondent Nos.1 and 2: MR.A.RAJASHEKAR REDDY (ASST.SOLICITOR GEN.)

Counsel for the Respondent Nos. 3 to 7: Mr. Kranti Narahari (ADDL. C.G.SC)

The Court at the admission stage made the following O R D E R:

This writ petition is filed seeking a direction to the respondents to pay the patient care allowance to the petitioners.

Heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondents.

Whether the petitioners are deprived of the benefit of patient care allowance or not is to be decided in accordance with rules governing the service conditions and as well as the directions given by this Court in W.P.Nos.1130 & 23645 of 1996, dated 07.10.2004

Therefore, without entering into the merits of the case, the writ petition is disposed of directing the respondents to take appropriate decision for payment of patient care allowance to the petitioners in accordance with rules and regulations governing the service conditions and as well as the directions rendered by this Court in W.P.Nos.1130 & 23645 of 1996, dated 07.10.2004. No costs.

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(K.C.BHANU,J)

Dt:21st April, 2005

usd

To

1. The Secretary,
   Union of India, Ministry of Health & Family Welfare, Nirman Bhavan, New Delhi.

2. The Secretary, Government of India, Ministry of Home Affairs, North Block, New Delhi.

3. The Director General, Central Reserve Police Force, C.G.O. Complex, Lodhi Road, New Delhi.

4. The Director (Medical), Central Reserve Police Force, R.K. Puram, New Delhi.

5. The Inspector General of Police,
   Central Reserve Police Force,
   Road No.12, Banjara Hills,
   Hyderabad-500005.

6. The Deputy Inspector General of Police, (Operations),
Central Reserve Police Force,
Group Centre, Chandrayanagutta,
Hyderabad-500005.

7. The Chief Medical Officer, 2nd Base Hospital,
Central Reserve Police Force,
Keshogiri, Chandrayanagutta,
Hyderabad-500005.

8 Two CD copies.

9 1 CC to MR.NARAHARI

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